



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

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2003-284  
RECEIVED  
JAN 20 2005  
PUBLIC SERVICE  
COMMISSION

19 January 2005

James M. Mooney  
Mooney, Mooney & Mooney  
208 South Limestone Street  
Lexington, Kentucky 40508-2502

RE: Mallard Point Disposal System

Dear Mr. Mooney:

I am in receipt of a photocopy of your 11 January 2005 letter to Beth O'Donnell, Executive Director of the Kentucky Public Service Commission. My understanding is that your client has a desire to protect certain information from public disclosure. 807 KAR 5:001 Section 7 contains the procedure for requesting confidential treatment for case materials. Presently, you do not have a proper Section 7 motion pending.

This Office believes that compliance with the regulation provides the exclusive procedural avenue for determining confidentiality. This Office does not believe that the January 11<sup>th</sup> letter satisfies the requirements of the regulation. Further, while this Office acknowledges the right of your client to seek confidential treatment, it will object to any overly-broad requests for confidential treatment for case materials.

Sincerely,

David Edward Spenard  
Assistant Attorney General

cc: ✓ Beth O'Donnell  
J. R. Goff

